

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv Pro. No. 08-1789 (BRL)

SIPA LIQUIDATION

(Substantively Consolidated)

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In re:

Bernard L. Madoff,

Debtor.

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IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment
Securities LLC,

Plaintiff,

v.

Laurence E. Leif,

Defendant.

Adv. Pro. No. 10-04601 (BRL)

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ORDER DIRECTING MEDIATION

To: BAKER & HOSTETLER LLP
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New York, NY 10111
Attn: Marc E. Hirschfield
Heather J. McDonald

*Attorneys for Irving H. Picard, Trustee for the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff*

Laurence E. Leif
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Pro Se

MILBERG LLP
One Pennsylvania Plaza
New York, NY 10119
Attn: Matthew A Kupillas

Attorneys for Laurence E. Leif in Adversary Proceeding 10-04601

WHEREAS, Laurence E. Leif (“Leif”), represented by Milberg LLP, is a defendant in an adversary proceeding (the “Adversary Proceeding”) brought by Irving H. Picard (the “Trustee”), as trustee for the SIPA liquidation of Bernard L. Madoff Investment Securities LLC; and

WHEREAS, Leif, acting *pro se*, has objected to the Trustee’s determination of the SIPA claim filed by Leif (the “Claim Dispute”); and

WHEREAS, the Court has reviewed letter submissions by Leif and the Trustee regarding the disputes; and

WHEREAS, upon due consideration, the Court finds that the disputes could possibly be resolved by mediation in the court-annexed mediation program; and

WHEREAS, upon due consideration, the Court finds that there are special issues presented which suggest reference to an appropriately experienced mediator;

THEREFORE, it is **ORDERED** that the Claim Dispute and the Adversary Proceeding are referred to mediation pursuant to the "Adoption Of Procedures Governing Mediation Of Matters And The Use Of Early Neutral Evaluation And Mediation/Voluntary Arbitration In Bankruptcy Cases And Adversary Proceedings," docketed December 1, 2009, and any amendments thereto (the "General Order") and pursuant to the Litigation Case Management Procedures For Avoidance Actions, *see* Case No. 08-1789, Dkt. No. 3141; and it is further

ORDERED that Melanie L. Cyganowski, Esq. is appointed to serve as the mediator for the parties in accordance with General Order § 2.2 B

Dated: October 21, 2013
New York, New York



/s/ Burton R. Lifland

Burton R. Lifland
United States Bankruptcy Judge